

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ROSE A. BATT,)	CASE NO. 1:09 CV 212
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
JEAN HOWE, et al.,)	<u>AND ORDER</u>
)	
Defendant.)	

On January 30, 2008, this action was removed from the Lakewood Municipal Court, Small Claims Division, by defendant Jean Howe, an employee of the Cleveland Veterans Administration Medical Center. The complaint, filed pro se by Rose A. Batt, states in its entirety as follows:

slander
obstruction of justice
2 attempts murder
embezilment (sic) of funds
incompetency

Principles requiring generous construction of pro se pleadings are not without limits. Beaudett v. City of Hampton, 775 F.2d 1274, 1277 (4th Cir. 1985). Given the most liberal construction, the complaint does not contain allegations remotely suggesting plaintiff might have a valid federal claim, or setting forth a reasonable basis for jurisdiction. This action is

therefore appropriately subject to summary dismissal. Apple v. Glenn, 183 F.3d 477 (6th Cir. 1999); see Hagans v. Lavine, 415 U.S. 528, 536-37 (1974) (citing numerous Supreme Court cases for the proposition that attenuated or unsubstantial claims divest the district court of jurisdiction); In re Bendectin Litig., 857 F.2d 290, 300 (6th Cir.1988) (recognizing that federal question jurisdiction is divested by unsubstantial claims).

Accordingly, this action is dismissed. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.



DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE